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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HAROLD E. MONTAGUE,

 Petitioner,

 v.

MS. BAKER, et al.,

 Respondents.

Case No. 3:17-cv-00648-RCJ-WGC

ORDER

Petitioner has paid the filing fee. He has also submitted a motion for appointment of counsel. Petitioner is unable to afford counsel, and the issues presented warrant the appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B).

IT THEREFORE IS ORDERED that the clerk of the court file the petition.

IT FURTHER IS ORDERED that petitioner’s motion for appointment of counsel is **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner.

IT FURTHER IS ORDERED that the Federal Public Defender shall have thirty (30) days from the date that this order is entered to undertake direct representation of petitioner or to indicate to the court his inability to represent petitioner in these proceedings. If the Federal Public Defender does undertake representation of petitioner, he shall then have sixty (60) days to file an amended petition for a writ of habeas corpus. If the Federal Public Defender is unable to represent petitioner, then the court shall appoint alternate counsel.

1 IT FURTHER IS ORDERED that neither the foregoing deadline nor any extension
2 thereof signifies or will signify any implied finding of a basis for tolling during the time period
3 established. Petitioner at all times remains responsible for calculating the running of the federal
4 limitation period under 28 U.S.C. § 2244(d)(1) and timely asserting claims.

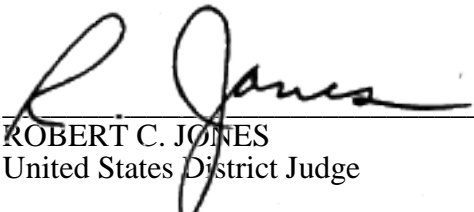
5 IT FURTHER IS ORDERED that the clerk shall add Adam Paul Laxalt, Attorney General
6 for the State of Nevada, as counsel for respondents.

7 IT FURTHER IS ORDERED that the clerk shall electronically serve both the Attorney
8 General of the State of Nevada and the Federal Public Defender a copy of the petition and a copy
9 of this order.

10 IT FURTHER IS ORDERED that respondents' counsel shall enter a notice of appearance
11 within twenty (20) days of entry of this order, but no further response shall be required from
12 respondents until further order of the court.

13 IT FURTHER IS ORDERED that, notwithstanding Local Rule LR IC 2-2(g) paper copies
14 of any electronically filed exhibits need not be provided to chambers or to the staff attorney,
15 unless later directed by the Court.

16 DATED: May 11, 2018


ROBERT C. JONES
United States District Judge